

U.S. Application No.  
10/009,973

International Application No.  
PCT/NO00/00160

Attorney Docket No.  
HAMSO19.001APC

Date: May 13, 2002

Page 1

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5/13/02  
(Date)  
James W. Ausley, Reg. No. 49,076

**TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED  
OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 USC 371**

International Application No.: PCT/NO00/00160

International Filing Date: May 18, 2000

Priority Date Claimed: June 3, 1999

Title of Invention: TAMPER-RESISTANT BOX FOR VIDEOCASSETTES, COMPACT DISCS  
(CDs) AND THE LIKE

Applicants for DO/EO/US: Moen, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- (X) Copy of Notification of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) dated March 11, 2002.
- (X) An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- (X) A power of attorney and copy of assignment in two (2) pages.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.
- (X) A return prepaid postcard.
- (X) The fee of \$65 for submission of the Declaration after 30 months from the priority under 37 C.F.R. 1.492(e).
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.

By:

James W. Ausley  
Registration No. 49,076  
Customer No. 20,995

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\* A Professional Corporation  
† Also Barrister At Law (U.S. & Canada)  
\*\* U.S. Patent Agent  
†† Also Solicitor (U.S. & Canada)

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To: Christine Washington

FIRM: USPTO

FACSIMILE No.: 703 305 3230

FROM: James Ausley, Reg. No. 49,076

DATE: May 7, 2003

OUR REF.: HAMSO19.001APC

YOUR REF.: 10/009,973

OPERATOR: Amanda Cogar

NO. OF PAGES: 15 (incl. cover sheet)

TIME:

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10 Rec'd PCT/PTC 13 MAY 2003

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MP

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## UTILITY/DESIGN PATENT

(Missing Parts)

DATE: 5-13-02DATE OF O.A.: 3-11-2002

Rec'd in the U.S.P.T.O. on the date stamped hereon via Certificate of Mail:

Atty. Dkt. # HAMS019.001 APCA/N: 10/009,973Filed: 11-30-2001Applicant: Maen, et al.Atty: JWATitle: Impact-Resistant Box for Videocassettes, Compact Discs (CDs)VERIFIED BY: Asst: SS

Quality Control:

☒ Transmittal Letter in Duplicate☐ Preliminary Amendment in      pgs.☒ Copy of Notice of Missing Requirements☐ Copy of Original Specification and Drawings☐ Decl. and Power of Attorney☒ Decl. by Inventor(s)☒ Power of Atty. by Assignee; Copy of Assignment☐ Ext. of Time Requested☒ Small Entity Statement(s)☐ Letter Requesting Refund in dupl.☒ \$ 65 Check for Filing Fee☐ Information Disclosure Statement; PTO 1449 w/      Ref(s).☒ Return Postcard

HAMSO19.001 APC R.S.

MHT/JWA

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UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY DOCKET NO
10/009,973	Moen	HAMSO19.001 APC

INTERNATIONAL APPLICATION NO

PCT/NO00/00160

I.A. FILING DATE PRIORITY DATE

05/18/2000

06/03/1999

20995

 KNOBBE MARTENS OLSON & BEAR LLP  
 620 NEWPORT CENTER DRIVE  
 SIXTEENTH FLOOR  
 NEWPORT BEACH, CA 92660

CONFIRMATION NO. 5384

371 FORMALITIES LETTER



\*0000000007587101\*

Date Mailed: 03/11/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 305-3752

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO	INTERNATIONAL APPLICATION NO.	ATTY DOCKET NO.
10/009,973	PCT/NO00/00160	HAMSO19.001APC

FORM PCT/DO/EO/905 (371 Formalities Notice)

Application No.: 10/009973

Client Code: HAMSO19.001APC

Filing Date: November 30, 2001

Page 1

## ASSIGNMENT

WHEREAS, We, Øyvind Moen, a Norway citizen, residing at Bellevy 12, N-4790, NORWAY, Finn Berg Sandsmyra 29, N-4790 Lillesand, NORWAY, Tor Andersen, Labritan 10, N-1349 Rykkia, NORWAY, have invented certain new and useful improvements in a TAMPER-RESISTANT BOX FOR VIDEOCASSETTES, COMPACT DISCS (CDs) AND THE LIKE for which we have filed an application for Letters Patent in the United States, 10/009973 November 30, 2001;

AND WHEREAS, Smartbox AS (hereinafter "ASSIGNEE"), a Norwegian Corporation, with its principal place of business at Brynsveien 132, N-1352 Kolsås, NORWAY, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof and we do hereby authorize and cause the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 26 day of 2, 2002

Øyvind Moen  
Øyvind Moen

STATE OF

COUNTY OF

ss.

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Øyvind Moen personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in the authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Elin Moen ELIN MOEN  
Witness

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 26 day of 2, 2002

Finn R. Berg

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Bj-Bj K-  
Witness

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 26 day of 2, 2002

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Tor Andersen

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WITNESS my hand and official seal.

Elin Moen  
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ELIN MOEN

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## UTILITY/DESIGN PATENT

Date: 5-13-02

(miscellaneous)

Date of O.A.:

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Atty. Dkt. # HAMSO19.001 APC

A/N: 10/009,973

Filed: 11-30-01

Pat. #

Issued:

Atty: JWA

Ext: Unknown

Art Unit:

Batch:

Re-Exam #

Title: Tamper-Resistant Box for Video. Applicant: Morn, et al

VERIFIED BY: Asst: ss

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Client Code: HAMSO19.001APC

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RECORDATION FORM COVER SHEET  
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TO THE ASSISTANT COMMISSIONER FOR PATENTS: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): (If multiple assignors, list numerically)

1. Øyvind Moen
2. Finn Berg
3. Tor Anderson

Additional name(s) of conveying party(ies) attached?  
( ) Yes (X) No

2. Name and address of receiving party(ies):

Name: Smartbox AS  
 Street Address: Brynsviken 132  
 City: N-1352 Kolsås Country: Norway

Additional name(s) of receiving party(ies) attached?  
( ) Yes (X) No

3. Nature of conveyance:

- (X) Assignment  
 ( ) Merger  
 ( ) Security Agreement

Execution Date: (If multiple assignors, list execution dates in numerical order corresponding to numbers indicated in 1 above)

1. February 26, 2002
2. February 26, 2002
3. February 26, 2002

4. Application number(s) or Patent number(s):

- (X) Patent Application No.: 10/009973  
 Filing Date: November 30, 2001

( ) Patent No.:  
 Issue Date:

Additional numbers attached? ( ) Yes (X) No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: James W. Ausley  
 KNOBBE, MARTENS, OLSON & BEAR, LLP  
 Customer No. 20,995  
 Internal Address: Sixteenth Floor  
 Street Address: 620 Newport Center Drive  
 City: Newport Beach State: CA ZIP: 92660  
 Attorney's Docket No.: HAMSO19.001APC

7. Total fee (37 CFR 1.21(h)): \$40

(X) Enclosed  
 ( ) Authorized to be charged to deposit account

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications and patents involved: 1

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

James W. Ausley  
 Name of Person Signing



Signature

5/13/02  
 Date

49,076  
 Registration No.

Total number of pages including cover sheet, attachments and document: 3

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 Attn: Assignment Division  
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 1213 Jefferson Davis Highway, Suite 320  
 Arlington, VA 22202

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## ASSIGNMENT

WHEREAS, We, Øyvind Moen, a Norway citizen, residing at Bellevy 12, N-4790, NORWAY, Finn Berg Sandsmyra 29, N-4790 Lillesand, NORWAY, Tor Anderson, Lebråtan 10, N-1349 Rykkinn, NORWAY, have invented certain new and useful improvements in a TAMPER-RESISTANT BOX FOR VIDEOCASSETTES, COMPACT DISCS (CDs) AND THE LIKE for which we have filed an application for Letters Patent in the United States, 10/009973 November 30, 2001;

AND WHEREAS, Smartbox AS (hereinafter "ASSIGNEE"), a Norwegian Corporation, with its principal place of business at Brynsveien 132, N-1352 Kolsås, NORWAY, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 26 day of 2, 2002

  
Øyvind Moen

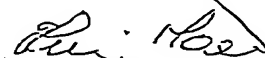
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WITNESS my hand and official seal.

 ELIN MOEN  
Witness

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 26 day of 2, 2002

Finn R. Berg  
Finn Berg

STATE OF

COUNTY OF

ss.

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Finn Berg personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Bj. Berg  
Witness

Bjorn BYKLEIN

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 26 day of 2, 2002

Tor Andersen  
Tor Andersen

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COUNTY OF

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WITNESS my hand and official seal.

Elin Moen  
Witness

ELIN MOEN

\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
\*\*\*\*\*

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HAMSO19.001APC

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Moen, et al. )  
App. No. : 10/009973 )  
Filed : November 30, 2001 )  
For : TAMPER-RESISTANT BOX FOR )  
VIDEOCASSETTES, COMPACT )  
DISCS (CDs) AND THE LIKE )  
Examiner : Unknown )

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and

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revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use Customer No. 20,995 for all communications.

Smartbox AS

Dated: 26. 2. 02By: Title: *Managing  
director*

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N-1352 Kolsås  
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